

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

DOUGLAS I. HORNSBY, Administrator of)
The Estate of CYNTHIA GARY,)
)
)
Plaintiff,) Case 2:22-cv-00427
)
)
v.) In Admiralty
)
THE UNITED STATES OF AMERICA, *et al.*,)
)
)
Defendants.)
)

**UNITED STATES' CONSENT MOTION TO EXTEND DEADLINE FOR FILING
NOTICE OF DISMISSAL**

COMES NOW the Defendant and Third-Party Plaintiff, the United States of America, and moves this Honorable Court for an order extending the deadline for dismissal in this matter, and in support says as follows:

1. All four parties to this case attended a settlement conference on January 31, 2025, at which the parties reached negotiated resolutions in principle of all claims.
2. The plaintiff has filed a notice of settlement with the Court (ECF No. 174), in which he has represented that, upon consummation of said settlement, he will dismiss his Amended Complaint.
3. Defendant and Third-Party Plaintiff, the United States of America, has filed a Notice of Settlement clarifying that the settlement includes the Third-Party Complaint, which likewise will be dismissed upon consummation of settlement.
4. The Court has indicated that, in the absence of a motion requesting entry of an order of dismissal filed within eleven (11) days from yesterday (i.e. by February 15, 2025), the matter will be dismissed with prejudice.

5. Settlements issuing at the behest of the United States from the Judgment Fund, 31 U.S.C. § 1304, typically require more than eleven days, to accommodate documentation and approval within the Department of Justice, acceptance and execution by Plaintiff and his counsel, and transmittal to the United States Treasury Department for issuance of payment. Consequently, the Defendant United States respectfully seeks an extension of the deadline in which the parties may file their respective notices or stipulations of dismissal until **March 30, 2025.**

6. Counsel for all parties in this matter have been consulted and concur in the relief requested in this motion.

Dated: February 5, 2025

Respectfully submitted,

UNITED STATES OF AMERICA

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CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2025, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of electronic filing (NEF) to all counsel of record.

By: /s/ *Malinda R. Lawrence*
Malinda R. Lawrence
Counsel for the United States